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Date of Deposit December 18, 2003

PATENT  
Attorney Docket No.: 019934-003210US

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P.O. Box 1450  
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By: \_\_\_\_\_

Tara N. Damhoff

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re application of:

Thomas J. Schall et al.

Application No.: 10/061,944

Filed: February 1, 2002

For: METHODS FOR ASSESSING  
CYTOMEGALOVIRUS MUTATIONS  
(AMENDED)

Customer No.: 20350

Confirmation No.: 8775

Examiner: Le, Emily M.

Art Unit: 1648

PRELIMINARY AMENDMENT AND  
RESPONSE TO RESTRICTION  
REQUIREMENT

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

In response to the Office Action mailed November 18, 2003, please enter the following amendments and remarks:

**Amendments to the Specification** begin on page 2 of this paper.

**Amendments to the Claims** are reflected in the listing of claims which begins on page 3 of this paper.

**Remarks/Arguments** begin on page 9 of this paper.



12-22-03  
image

1648  
PTO/SB/21 (08-03)

<b>TRANSMITTAL FORM</b> <i>(to be used for all correspondence after initial filing)</i>		Application Number	10/061,944
		Filing Date	February 1, 2002
		First Named Inventor	Thomas J. Schall
		Art Unit	1648
		Examiner Name	Le, Emily M
Total Number of Pages in This Submission		Attorney Docket Number	019934-003210US

ENCLOSURES (Check all that apply)		
<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Fee Attached <input checked="" type="checkbox"/> Amendment/Reply <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s)  <input type="checkbox"/> Extension of Time Request  <input type="checkbox"/> Express Abandonment Request  <input type="checkbox"/> Information Disclosure Statement <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Response to Missing Parts/Incomplete Application <input type="checkbox"/> Response to Missing Parts under 37 CFR 1.52 or 1.53	<input checked="" type="checkbox"/> Drawing(s) (Figure 1) <input type="checkbox"/> Licensing-related Papers <input type="checkbox"/> Petition <input type="checkbox"/> Petition to Convert to a Provisional Application <input type="checkbox"/> Power of Attorney, Revocation Change of Correspondence Address <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Request for Refund <input type="checkbox"/> CD, Number of CD(s)	<input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief, Reply Brief) <input type="checkbox"/> Proprietary Information  <input type="checkbox"/> Status Letter  <input checked="" type="checkbox"/> Other Enclosure(s) <i>(please identify below):</i>  Return Postcard
Remarks		The Commissioner is authorized to charge any additional fees to Deposit Account 20-1430.

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT	
Firm or Individual	Townsend and Townsend and Crew LLP Scott L. Aussenhus Reg. No. 42,271
Signature	
Date	December 18, 2003

CERTIFICATE OF MAILING		
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Typed or printed name	Tara N. Damhoff	
Signature		Date December 18, 2003